

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 07-2004)

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

904.0102.U1(US)

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/519577

INTERNATIONAL APPLICATION NO.

PCT/US2003/020237

INTERNATIONAL FILING DATE

27 June 2003 (27.06.2003)

PRIORITY DATE CLAIMED

27 June 2002 (27.06.2002)

TITLE OF INVENTION

METHOD AND APPARATUS FOR DETECTING MULTIPLE OPTICAL WAVE LENGTHS

APPLICANT(S) FOR DO/EO/US

LEVNER, Daniel; FAY, Martin F.; XU, Jingming

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 460360228 US
23. ☒ Other items or information:

PCT/ISA/206, PCT/IB/304, PCT/IB/301

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; margin-top: 10px;">10/519577</div>		INTERNATIONAL APPLICATION NO. PCT/US2003/020237		ATTORNEY'S DOCKET NUMBER 904.0102.U1 (US)											
21. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee..... \$200.00 <input type="checkbox"/> c) Search fee..... \$500.00 TOTAL OF ABOVE CALCULATIONS = \$1000.00 <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">Applicant use</th> <th style="width:50%;">Office use only</th> </tr> <tr> <td>\$ 300.00</td> <td></td> </tr> <tr> <td>\$ 200.00</td> <td></td> </tr> <tr> <td>\$</td> <td></td> </tr> <tr> <td>\$ 500.00</td> <td></td> </tr> </table>		Applicant use	Office use only	\$ 300.00		\$ 200.00		\$		\$ 500.00	
Applicant use	Office use only														
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Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE												
- 100 =	/50 =		x \$250.00	\$											
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$											
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE												
Total claims	62 - 20 =	42	x \$50.00	\$ 2100.00											
Independent claims	22 - 3 =	19	x \$200.00	\$ 3800.00											
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$											
TOTAL OF ABOVE CALCULATIONS =				\$ 6400.00											
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$											
SUBTOTAL =				\$											
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$											
TOTAL NATIONAL FEE =				\$ 3200.00											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$											
TOTAL FEES ENCLOSED =				\$ 3200.00											
Amount to be refunded:					\$										
Amount to be charged					\$										

a. ☒ A check in the amount of \$ 3,200.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1924. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.437(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer Number 29,683

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SIGNATURE

Harry F. Smith

NAME

32,493

REGISTRATION NUMBER

Date: 12/23/04

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

Applicant: LEVNER et al.

Serial No.: 11/

Filed: Herewith

Title: Method and Apparatus for Detecting Multiple Optical Wave Lengths

Attorney Docket No.: 904.0102.U1(US)

Express Mail Certificate

I hereby certify that the following correspondence:


New National Stage Application Transmittal letter (including copies of International Application);

Declaration, Information Disclosure Statement, PTO-1449 and Reference;

Assignment, Assignment Cover Sheet and check for \$40.00

Check in the amount of \$ 3200.00

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10, Express Mail No. **EV 460360228 US**, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop PCT on December 27, 2004.


Ann Okrentowich